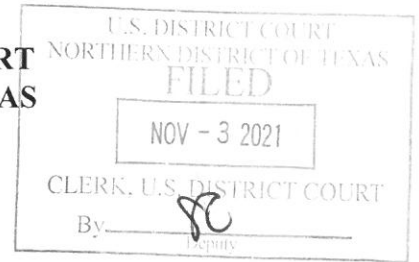


PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 08/2021)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS



Adrian Lewis #0907278
Plaintiff's Name and ID Number

Tarrant County Jail
Place of Confinement

4-21CV-1211-P

CASE NO. _____
(Clerk will assign the number)

v.

Tarrant County Sheriff's Department
Defendant's Name and Address

Defendant's Name and Address

Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$52.00 for a total fee of **\$402.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$52.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? ___ YES ☒ NO
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: _____
 2. Parties to previous lawsuit:
Plaintiff(s) _____
Defendant(s) _____
 3. Court: (If federal, name the district; if state, name the county.) _____
 4. Cause number: _____
 5. Name of judge to whom case was assigned: _____
 6. Disposition: (Was the case dismissed, appealed, still pending?) _____
 7. Approximate date of disposition: _____

- II. PLACE OF PRESENT CONFINEMENT: Tarrant County Jail
- III. EXHAUSTION OF GRIEVANCE PROCEDURES:
Have you exhausted all steps of the institutional grievance procedure? X YES ___ NO
Attach a copy of your final step of the grievance procedure with the response supplied by the institution.
- IV. PARTIES TO THIS SUIT:
- A. Name and address of plaintiff: Adrian Lewis
100 N. Lamar
Fort Worth, Tx 76196
- B. Full name of each defendant, his official position, his place of employment, and his full mailing address.
- Defendant #1: Tarrant County Sheriff's Department
100 N. Lamar, Fort Worth, Texas . 76196
Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.
Arrested of alleged offense herein purported Made by Defendant.
- Defendant #2: Tarrant County Sheriff's Department
100 N. Lamar, Fort Worth, Texas . 76196
Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.
Inmate Disciplinary / Solitary Confinement
- Defendant #3: Tarrant County Sheriff's Department -
100 N. Lamar, Fort Worth, Texas . 76196
Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.
Use of excessive force / Pepper Spray
- Defendant #4: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

- Defendant #5: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

Arrested of alleged offense Made by the Tarrant County Sheriff's Department. Placed in confinement.

- Misuse

[REDACTED] of Criminal record of any prospective witness, including indictments, convictions, or acquittals of charge.

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Fully Compensated in the likes of irreparable injury.

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

Adrian Deon Lewis / Adrian Deon Collins

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

01752535 - TDCJ / 0907278 - Tarrant County Jail

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? ☐ YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date sanctions were imposed: _____

4. Have the sanctions been lifted or otherwise satisfied? ☐ YES ☐ NO

- C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES X NO
- D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)
1. Court that issued warning (if federal, give the district and division): _____
 2. Case number: _____
 3. Approximate date warning was issued: _____

Executed on: 10/27/2021
DATE

Adrian Deon Lewis
(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 27 day of October, 20 21.
(Day) (month) (year)

Adrian Deon Lewis
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

SERVICE # 2021-11160

TARRANT COUNTY SHERIFF'S DEPARTMENT

INMATE DISCIPLINARY REPORT

File Nbr. _____

REPORT DATE: 9/11/21 TIME: 1403 LOCATION: 425-01

NAME: Lewis, Aprian CID: 0907278 RACE: Black SEX: M DOB: 12/24/92

INMATE HANDBOOK RULE VIOLATIONS

Note: Submit one form per incident. Do not submit major and minor infractions on the same incident.

MINOR VIOLATIONS: Section A: _____ Section B: _____

MAJOR VIOLATIONS: Section C: _____ Section D: 11 Section E: 18

Brief Narrative of Incident: Inmate Lewis attempted to stop the entrance door to his housing unit from closing, using his arm to interfere with the closing of the door. Inmate Lewis was identified by his Tarrant County issued mugshot.

(Attach copies of formal Incident Reports, documentation of violations and physical evidence)

OFFICER: [Signature] D. Ingram 75254
(Officer's signature) (Officer's printed name) (Empl. #)

SUPERVISOR: [Signature] St. L. Daniels 59678
(Watch Commander's signature) (Watch Commander's printed name) (Empl. #)

To Inmate: A Disciplinary Hearing will be held no sooner than 24 hours from this date to allow you to present your views on this incident. See reverse side for details concerning your due process in the Jail Inmate Disciplinary System.

COPY DELIVERED TO INMATE ON: 9/10/21 1414 hours 1414
Date Time (Hours)

INMATE ACKNOWLEDGEMENT Refused A. Baker 69549
Signature Printed Name (Empl. #)

WITNESS IDENTIFIED BY INMATE AT TIME OF SERVICE: 1) None 2) None

BY OFFICER: [Signature] Edwards 77300
(Officer's signature) (Officer's printed name) (Empl. #)

REVIEW OF MAJOR INFRACTIONS

ACTION TAKEN: ☒ Set for hearing by major Infraction Hearing Board
☐ Returned to Watch Commander for Correction of deficiencies and resubmission
☐ Level reduced to Section _____ Rule _____ As supported by evidence submitted.
☐ Charge dismissed for procedural reasons.

BOARD COORDINATOR: _____ UNIT COMMANDER: [Signature] 7251B

DISCIPLINARY HEARING REPORT

HEARING DATE: _____ LOCATION: _____ CASSETTE NO: _____

1. The statement for charges was read aloud and fully explained to the inmate by the Hearing Officer.

2. Pleas entered by inmate (Circle One): Guilty Not Guilty

3. Finding of Fact: _____

4. Evidence relied upon: _____

5. Disciplinary Assessment: _____

To Inmate: You will be given a copy of this hearing report and any action to be imposed at the conclusion of your hearing. You may appeal the Board's decision as explained on the reverse side of this form.

HEARING CHAIRMAN: _____

MEMBER: _____ MEMBER: _____

White Copy to File Canary Copy To Inmate (Hearing Disposition) Pink Copy To Inmate (Notification Of Chargers)

TARRANT COUNTY SHERIFF'S DEPARTMENT**INMATE DISCIPLINARY REPORT**

File Nbr. _____

REPORT DATE: 9/11/21 TIME: 11:03 LOCATION: 42-501NAME: Lozano, Adrian CID: 0907278 RACE: Black SEX: M DOB: 12/25/92**INMATE HANDBOOK RULE VIOLATIONS***Note: Submit one form per incident. Do not submit major and minor infractions on the same incident.*

MINOR VIOLATIONS: Section A: _____ Section B: _____

MAJOR VIOLATIONS: Section C: _____ Section D: 11 Section E: 18Brief Narrative of Incident: Inmate being charged with 1st degree assault on a peace officer. Inmate was charged with assault on a peace officer while in the jail. Inmate was charged with assault on a peace officer while in the jail. Inmate was charged with assault on a peace officer while in the jail.

(Attach copies of formal Incident Reports, documentation of violations and physical evidence)

OFFICER: _____ (Officer's signature) _____ (Officer's printed name) 75752 (Empl. #)SUPERVISOR: U. H. H. H. H. (Watch Commander's signature) U. H. H. H. H. (Watch Commander's printed name) 15374 (Empl. #)

To Inmate: A Disciplinary Hearing will be held no sooner than 24 hours from this date to allow you to present your views on this incident. See reverse side for details concerning your due process in the Jail Inmate Disciplinary System.

COPY DELIVERED TO INMATE ON: 9-29-21 Date 10:18 Time (Hours)INMATE ACKNOWLEDGEMENT Refered to sup/d of 75752WITNESS IDENTIFIED BY INMATE AT TIME OF SERVICE: 1) None 2) NoneBY OFFICER: U. H. H. H. H. (Officer's signature) U. H. H. H. H. (Officer's printed name) 75752 (Empl. #)**REVIEW OF MAJOR INFRACTIONS**ACTION TAKEN: _____ Set for hearing by Major Infraction Hearing Board
_____ Returned to Watch Commander for Correction of deficiencies and resubmission
_____ Level reduced to Section _____ Rule _____ As supported by evidence submitted.
_____ Charge dismissed for procedural reasons.

BOARD COORDINATOR: _____

UNIT COMMANDER: _____

DISCIPLINARY HEARING REPORT

HEARING DATE: _____ LOCATION: _____ CASSETTE NO: _____

1. The statement for charges was read aloud and fully explained to the inmate by the Hearing Officer.

2. Pleas entered by inmate (Circle One): _____ Guilty _____ Not Guilty _____

3. Finding of Fact: _____

4. Evidence relied upon: _____

5. Disciplinary Assessment: _____

To Inmate: You will be given a copy of this hearing report and any action to be imposed at the conclusion of your hearing.

You may appeal the Board's decision as explained on the reverse side of this form.

HEARING CHAIRMAN: _____

MEMBER: _____ MEMBER: _____

White Copy To File

Canary Copy To Inmate (Hearing Disposition)

Pink Copy To Inmate (Notification Of Charges)

An inmate who has been found guilty of violating a jail rule by the Disciplinary Board or Officer may have any penalty imposed probated for their length of stay in the Tarrant County Jail. Once having been given a probated penalty for any rule violation, any subsequent finding of another rule violation by a Disciplinary Board or Officer will result in the revoking of that probation status. That probated penalty may be imposed consecutively with the penalty for the new violation, upon completion of the appeal process.

TYPES AND RANGES OF POSSIBLE SANCTIONS

Minor Infractions. Sanctions shall be limited to:

- (A) counseling;
- (B) verbal or written reprimand;
- (C) in podular, direct supervision facilities, temporary restriction to cells for a period not to exceed twenty-four hours;
- (D) loss of commissary, telephone, mail (non-legal), and/or visitation privileges for a period not to exceed fifteen days; and
- (B) disciplinary separation for a period not to exceed fifteen days.

Any combination of the penalties listed above may be imposed. Your penalty may be probated subject to acceptable conduct for the duration of confinement. As a result of conviction, your custody level will be reassessed, and may be increased.

Major Infractions. Sanctions may include:

- (A) loss of good conduct credit;
- (B) loss of commissary, telephone, mail (non-legal), and/or visitation privileges for a period not to exceed thirty days;
- (C) removal from work details or programs; and
- (D) disciplinary separation for a period not to exceed thirty days.

Any combination of the penalties listed above may be imposed. Your penalty may be probated subject to acceptable conduct for the duration of confinement. As a result of conviction, your custody level will be reassessed, and may be increased.

Disciplinary Due Process Requirements

If you commit, or are charged with a violation of one or more of the "Prohibited Acts", disciplinary measures may be taken against you. A report will be filed and forwarded to the Disciplinary Board (Major Disciplinary Board for major infractions, or Minor Disciplinary Board for minor infractions). A hearing, before a neutral and impartial board, will be held no sooner than 24 hours after you receive written notice of the claimed violation or charges against you, and will be held within ten (10) working days after you receive your written notice. You may be moved to administrative custody until the hearing. The evidence against you will be presented at the time of the hearing although confidential informants may be protected. You will be provided an opportunity to be heard in person and to present documentary defensive evidence when not unduly hazardous to institutional safety and correctional goals. You may waive the right to a disciplinary hearing provided proper notification is given prior to the signing of the waiver. The waiver shall include the appropriate identification of charges, the allowable sanctions, and the sanctions offered by the waiver. A waiver shall not include the loss of good time as a sanction. You will be provided the opportunity to call up two (2) witnesses on your behalf for disciplinary hearings when not unduly hazardous to institutional safety and correctional goals; such witnesses must be identified at the time you are served with formal written notification. You shall be allowed to seek the aid of another inmate if you are illiterate or where the complexity of the issue makes it unlikely that you will be able to collect and present the evidence necessary for an adequate comprehension of the case when not unduly hazardous to institutional safety and correctional goals. If that is not permissible, substitute aid from the staff or from an inmate designated by the staff shall be provided. You have no right to retain outside counsel. You have been provided a copy of the jail rules, and have signed an acknowledgement that these rules have been explained. This acknowledgement is kept on file. You may appeal the disciplinary board decision. In a Major Disciplinary Board hearing the appeal shall be in writing to the Support Services Chief Deputy within seventy-two hours. In a Minor Board hearing the appeal shall be in writing to the Housing Unit Chief Deputy within 24 Hours.

Adrian Lewis
100 N. Lamar
Fort Worth, Texas 76106

NORTH TEXAS TX 76102
DALLAS TX 75001
1 NOV 2021 PM 6



Clerks of the U.S. District Court
501 W. Tenth St., Rm 310
Fort Worth, Texas 76102

76102-97599

76102-97599